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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,623	09/29/2003	Tokuji Kuroda	2003-1375A	6241

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EXAMINER	
ZHAO, DAQUAN	

ART UNIT	PAPER NUMBER
2621	

MAIL DATE	DELIVERY MODE
05/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/671,623	KURODA, TOKUJI	
	Examiner	Art Unit	
	Daquan Zhao	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *9/29/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quan (US 6,058,191).

Regarding claim 1, Quan teaches a first video signal containing information representing a copyrighted work and information representing a non-copyrighted work (e.g. column 8, line 65- column 9, line 31, and figure 2, modulated RF television signal with copy protection), comprising:

- copyright information detecting means which extracts copyright information inserted in the first video signal (e.g. column 6, lines 22-24, extraction of the signal component containing the copy protection signals);
- active pixel period detecting means which detects an active pixel period of the first video signal, and generates an active period decision signal (e.g. column 9, lines 20-32, and figure 2, circuit 52 indicates

active video lines in which anti-copy signal are present. Active pixel period corresponding to the period of active video lines);

- video signal output means which outputs a second video signal containing information representing another non-copyrighted work (e.g. figure 2, unmodulated RF carrier or modulated carrier without copy protection from a second RF source, column 10, lines 41-column 11, line 2);
- video signal generating means which generates a third video signal by replacing the first video signal by the second video signal in the active period when it is determined based on the copyright information and the active period decision signal that the first video signal represents the information representing the copyrighted work (e.g. column 10, lines 41-column 11, line 2, signal on lead is replaced during the period of the copy protection signals by signals on lead 78 in figure 2); and
- recording means which records the third video signal on a recording medium as one video file (e.g. column 10, lines 41-column 11, line 2).

Quan fails to teach a video signal recording apparatus for digitally recording. The examiner takes official notice for a video signal recording apparatus for digitally recording since it is well known in the art. It would have been obvious for one ordinary skill in the art at the time the invention was made to digitally record the copyright-protection-disable video signal taught by Quan to increase the storage efficiency.

Regarding claim 3, Quan teach boundary detecting means which detects a boundary between the copyrighted work and the non-copyrighted work in the first video signal (e.g. a low logic level on lead 54 during an active video line in which anti-copy signals are present, for example, the boundary corresponds to lines 10 and 20 in the vertical blank interval; a high logic level of the lead 54 is provided for the active television field); and file structure information generating means which generates file structure information indicative of a relation between the boundary and the copyrighted work in the video file (e.g. column 9, lines 19-32, lead 54 indicates the boundary of the video and the copyright protected information corresponding to structure information). It would have been obvious for one ordinary skill in the art at the time the invention was made to digitally file structure information (e.g. Lead 54) taught by Quan to increase the storage efficiency.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Quan (US 6,058,191) as applied to claims 1 and 3 above, and further in view of Collins et al (US 4,438,495).

Regarding claim 2, Quan fails to teach outputs a fixed value signal having a predetermined fixed value. Collins et al teach outputs a fixed value signal having a predetermined fixed value (e.g. column 14, lines 15-20). It would have been obvous for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Collins et al into the teaching of Quan to reduce the time for signal processing.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Quan (US 6,058,191) as applied to claims 1 and 3 above, in view of Posner et al (US 4,389,671).

Regarding claim 4, Quan fails to teach outputs the second video signal by scrambling the first video signal with a predetermined scramble key. Posner et al teach outputs the second video signal by scrambling the first video signal with a predetermined scramble key (e.g. column 4, lines 3-11). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Posner et al into the teaching of Quan to secure the video signal.

5. Claims 5 and 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Quan (US 6,058,191) as applied to claims 1 and 3 above, and further in view of Ohtsuka (US 5,077,734).

See the teaching of Quan above.

Regarding to claims 5 and 6, Quan fials to teach a clock capable of identifying a period shorter than a frame period of the first video signal. Ohtsuka teaches a clock capable of identifying a period shorter than a frame period of the first video signal (e.g. column 12, line 60 -column 13, line14). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Ohtsuka into the teaching of Quan to reduce the transmission error when the signals are synchronized.

Conclusion

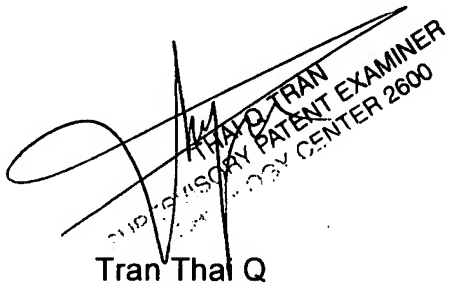
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Quan (US 6,421,497); Quan et al (US 5,157,510); Kanota et al (US 5,991,500); Hirai (US 2001/0019659 A1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daquan Zhao



Tran Thai Q
Supervisory Patent Examiner